

Message Text

CONFIDENTIAL

PAGE 01 USUN N 01859 301932Z

21

ACTION DLOS-04

INFO OCT-01 ISO-00 AF-08 ARA-06 EA-07 EUR-12 NEA-10 FEA-01

ACDA-07 AGR-05 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00

CIEP-01 COME-00 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05

FMC-01 TRSE-00 H-02 INR-07 INT-05 IO-13 JUSE-00 L-03

NSAE-00 NSC-05 NSF-01 OES-06 OMB-01 PA-01 PM-04

PRS-01 SP-02 SS-15 USIA-06 SAL-01 /156 W

----- 112248

R 301556Z APR 76

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 7219

INFO AMEMBASSY MOSCOW

AMEMBASSY BRASILIA

AMEMBASSY OSLO

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY BONN

AMEMBASSY BERLIN

AMEMBASSY TEL AVIV

C O N F I D E N T I A L USUN 1859

FROM LOS DEL

E.O. 11652: GDS

TAGS: PLOS

SUBJECT: LOS; C-I, INFORMAL MEETING, APRIL 20, 1976

REFS: (A) USUN 1767 (B) A-480

1. SUMMARY: C-I MET IN INFORMAL SESSION MORNING AND
AFTERNOON OF APRIL 20, 1976, AND DISCUSSED ARTICLE 18-23.
END SUMMARY.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 USUN N 01859 301932Z

2. DISCUSSION ON ARTICLE 18, PARTICIPATION OF DEVELOPING

COUNTRIES, INCLUDING LAND-LOCKED AND OTHER GEOGRAPHICALLY DISADVANTAGED STATES, DREW REPETITIVE DEBATE (REF A). SWITZERLAND, FRG, AUSTRIA, POLAND, AFGHANISTAN, MONGOLIA AND USSR (ROMANOV) SUPPORTED CZECHOSLOVAK INTERVENTION (REF A). SPAIN PROPOSED GIVING SPECIAL CONSIDERATION TO DEVELOPED COUNTRIES WHICH ARE NOT YET TECHNICALLY ABLE TO MINE. MADAGASCAR, TUNISIA, LIBYA, MAURITANIA, GDR AND PAKISTAN SUPPORT BRAZILIAN PROPOSAL (REF A). AUSTRIA STATED THEY WOULD SUPPORT THE BRAZILIAN PROPOSAL PROVIDED THE CZECHOSLOVAK PROPOSAL IS INCLUDED.

3. USSR (YAKOVLEV) SUPPORTED BY US REP (ESKIN) SUGGESTED DELETING ARTICLE 19, ARCHAEOLOGICAL AND HISTORIC OBJECTS. NORWAY (VINDENES) PLAYED OUT COMPROMISE NEGOTIATED IN SEVRET BRAZIL GROUP. IN THE FIRST SENTENCE OF SUBPARAGRAPH 1 "BY THE AUTHORITY" IS DELETED AND SUBPARAGRAPHS 2 AND 3 ARE DELETED. THESE CHANGES PLACE THE RESPONSIBILITY OF PROPERLY DISPOSING OF THE HISTORIC OBJECT ON THE STATE RECOVERING THE OBJECT. GREECE STATED THAT ARTICLE 19 SHOULD REQUIRE THAT THE FOUND OBJECT BE RETURNED TO THE STATE OF ORIGIN. UK (WOOD) SUGGESTED DELETING THIS ARTICLE AND ALLOWING AN ORGANIZATION SUCH AS UNESCO TO TAKE RESPONSIBILITY FOR THESE ARCHAEOLOGICAL AND HISTORICAL OBJECTS.

4. ENGO SET ASIDE DISCUSSION OF ARTICLE 20 UNTIL THE COMMITTEE IS READY TO DECIDE ON THE SEAT OF THE AUTHORITY. US REP (RATINER) IN LATER INTERVENTION SUGGESTED THAT THE TITLE INCLUDED IN ARTICLE 20 SHOULD BE THE INTERNATIONAL SEABED RESOURCE AUTHORITY.

5. CHINA, SUPPORTED BY KUWAIT, ALGERIA (ALLOUANE), MOROCCO AND IRAN, SUGGESTED ADDING TO ARTICLE 21, NATURE AND FUNDAMENTAL PRINCIPLES OF THE FINCTIONING OF THE AUTHORITY, THE FOLLOWING: "THE AREA AND ITS RESOURCES BEING THE COMMON HERITAGE OF MANKIND, ALL RIGHTS IN THE RESOURCES ARE VESTED IN THE AUHTORITY ON BEHALF OF MANKIND S A WHOLE. THESE RESOURCES ARE NOT SUBJECT TO ALIENATION". USSR (ROMANOV) PROPOSED THE US AMENDMENTS. US REP (RATINER) STATED THAT THE

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 USUN N 01859 301932Z

AUTHORITY CANNOT CONTROL ALL USES OF THE AREA BUT MUST ACT AS A RESOURCE MANAGER AND MANAGE EXPLORATION AND EXPLOITATION ACTIVITIES. UK (WOOD) SUPPORTED BOTH OF THESE INTERVENTIONS AND STATED THAT THE PROPOSAL BY CHINA WAS REALLY CONCERNED WITH PROVISIONS OF THE ANNEX. NORWAY (VINDENES) SUPPORTED BY FRANCE (MARTINSANE), PLAYED OUT THE COMPROMISE AGREED TO IN SECRET BRAZIL GROUP. SUBPARAGRAPH 1 WILL NOW READ "THE

AUTHORITY IS THE ORGANIZATION THROUGH WHICH STATE PARTIES SHALL ORGANIZE AND CONTROL ACTIVITIES IN THE AREA, PARTICULARLY WITH THE VIEW TOWARDS THE ADMINISTRATION OF THE RESOURCES OF THE AREA, IN ACCORDANCE WITH THIS CONVENTION". SUBPARAGRAPHS 2 AND 3 REMAIN THE SAME AS THE SNT AND THE US AMENDMENTS. DISCUSSION OF ARTICLE 21 CONCLUDED WITH USSR AND CHINA ENGAGING IN A POLITICAL DEBATE OVER WHICH COUNTRY TRULY SUPPORTS THE THIRD WORLD'S INTERESTS.

6. ARTICLE 23 DEBATE CENTERED ON SUBPARAGRAPH 3. THIS SUBPARAGRAPH WAS NOT INCLUDED IN SNT ISSUED IN GENEVA BUT WAS ADDED BY SECRETARIAT WHEN THE SNT WAS PRINTED. TEXT FOLLOWS: BEGIN TEXT. THE AUTHORITY SHALL ENSURE THE EQUITABLE SHARING BY STATES IN THE BENEFITS DERIVED FROM ACTIVITIES IN THE AREA, TAKING INTO PARTICULAR CONSIDERATION THE INTERESTS AND NEEDS OF THE DEVELOPING COUNTRIES WHETHER COASTAL OR LAND-LOCKED. END TEXT. KUWAIT, SUPPORTED BY IRAQ, QATAR, UNITED ARAB EMIRATES, EGYPT AND CAMEROON, SUGGESTED CHANGING IN SUBPARAGRAPH 3, "EQUITABLE SHARING BY STATES" TO "EQUITABLE SHARING BY MANKIND AS A WHOLE". ISRAEL OBJECTED. EGYPT SUGGESTED ADDING TO SUBPARAGRAPH 3 "THE AUTHORITY SHALL INSURE THE PRESERVATION OF ALL RIGHTS OF TERRITORIES WHICH HAVE NOT YET RECEIVED INDEPENDENCE STATUS AND PEOPLE WHOSE FATE HAS NOT YET BEEN DECIDED UPON". ISRAEL OBJECTED, STATING THAT THE AUTHORITY MUST NOT BE ALLOWED TO DECIDE THE FATE OF PEOPLES WHOSE STATUS HAS NOT YET BEEN DECIDED. BRAZIL, IN PLAYING OUT SECRET BRAZIL GROUP COMPROMISE, SUGGESTED DELETION OF SUBPARAGRAPH 1 SINCE ARTICLE 9 PROVIDES THE AUTHORITY WITH THE POWER TO SECURE MAXIMUM FINANCIAL AND OTHER BENEFITS AND THE CONFIDENTIAL

CONFIDENTIAL

PAGE 04 USUN N 01859 301932Z

AUTHORITY TO PROMOTE ACTIVITIES IN THE AREA. US REP (OXMAN) STATED THAT ARTICLE 23 (1) SHOULD BE INCLUDED IN ORDER TO INSURE THAT ACTIVITIES IN THE AREA WILL BE ENCOURAGED. US REP STATED THAT SUBPARAGRAPH 2 MUST INSURE THAT THE PRINCIPLE OF NON-DISCRIMINATION BE CARRIED OUT THROUGHOUT THE AREA AND SUBPARAGRAPH 3 SHOULD DETAIL THE SPECIFIC ARTICLES AND PARAGRAPHS OF THE ANNEX WHICH PROVIDE FOR DISCRIMINATION IN FAVOR OF LDC' S. CHILE AGREED WITH BRAZIL AND PUT FORTH THE SECOND SECRET BRAZIL GROUP AMENDMENT THAT ARTICLE 23(1) SHOULD INSURE THAT ALL RIGHTS GRANTED THIS ARTICLE BE CARRIED OUT IN ACCORDANCE WITH THE PART OF THE CONVENTION. UKRAINIAN SSR SUGGESTED AMENDING ARTICLE 23(3) TO READ "STATE PARTIES" RATHER THAN "STATES". PERU, IN LATER INTERVENTION, STATED THAT MANKIND AS A WHOLE

SHOULD BENEFIT FROM THE EQUITABLE SHARING OF BENEFITS REGARDLESS OF THEIR STATUS AS SIGNATORIES OF THIS CONVENTION. US REP (RATINER) STATED THAT ANY CONVENTION WHICH DISTRIBUTES BENEGITS TO STATE PARTIES WHO HAVE NOT ASSUMED THE OBLIGATIONS OF THE CONVENTION WOULD BE UNACCEPTABLE. CZECHOSLOVAKIA PRESENTED PROPOSAL FOR LL/GDS (REF B) AND WAS SUPPORTED BY UKRANIAN SSR, POLAND AND SWITZERLAND. UK (WOOD), NORWAY (VINDENES), AND PAKISTAN OPPOSED CZECHOSLOVAK INTERVENTION. SCRANTON

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, COMMITTEE MEETINGS, MEETING REPORTS
Control Number: n/a
Copy: SINGLE
Draft Date: 30 APR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: saccheem
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976USUNN01859
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760166-0637
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t1976041/aaaaaafw.tel
Line Count: 179
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION DLOS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: saccheem
Review Comment: n/a
Review Content Flags:
Review Date: 23 APR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <23 APR 2004 by BoyleJA>; APPROVED <10 AUG 2004 by saccheem>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS; C-I, INFORMAL MEETING, APRIL 20, 1976
TAGS: PLOS, UN, LOS
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006